

BENJAMIN SCHONBRUN, Bar No. 118323  
 MICHAEL D. SEPLOW, Bar No. 150183  
 COURTNEY ABRAMS, Bar No. 265742  
 SCHONBRUN DESIMONE SEPLOW  
 HARRIS HOFFMAN & HARRISON, LLP  
 723 Ocean Front Walk  
 Venice, CA 90291  
 Telephone: 310.396.0731  
 Fax No.: 310.399.7040  
 E-mail: [schonbrun.ben@gmail.com](mailto:schonbrun.ben@gmail.com)  
[mseplow@gmail.com](mailto:mseplow@gmail.com)  
[cabrams@gmail.com](mailto:cabrams@gmail.com)

Attorneys for Plaintiff  
 DELANIA LINDAHL

MAUREEN E. MCCLAIN, Bar No. 062050  
 MATTHEW P. VANDALL, Bar No. 196962  
 BARBARA I. ANTONUCCI, Bar No. 209039  
 LITTLER MENDELSON  
 A Professional Corporation  
 650 California Street, 20th Floor  
 San Francisco, CA 94108.2693  
 Telephone: 415.433.1940  
 Fax No: 415.399.8490  
 E-mail: [mmcclain@littler.com](mailto:mmcclain@littler.com)  
[mvandall@littler.com](mailto:mvandall@littler.com)  
[bantonucci@littler.com](mailto:bantonucci@littler.com)

Attorneys for Defendants  
 NEW CREATIVE MIX INC., NEW GAMES  
 PRODUCTIONS INC., NICKELODEON AND MTV  
 NETWORKS, A DIVISION OF VIACOM  
 INTERNATIONAL INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

DELANIA LINDAHL, on behalf of  
 herself, all others similarly situated and the  
 general public,

Plaintiff,

v.

MTV NETWORKS, INC.,  
 NICKELODEON, NEW GAMES  
 PRODUCTION, INC. NEW CREATIVE  
 MIX, INC. and DOES 1 through 10,

Defendants.

Case No. CV-10-04448-SBA

**JOINT STIPULATION OF DISMISSAL  
 AND COURT ORDER**  
**[F.R. Civ. Pro. 41(a)(1)(A)(ii)]**

**[CLASS ACTION]**

Judge: Hon. Sandra Brown Armstrong

COMPLAINT FILED: October 1, 2010

FIRST AMENDED

COMPLAINT FILED: December 20, 2010

TRIAL DATE: No date set.

1 IT IS HEREBY STIPULATED by and between the parties to this action, and by and through  
 2 their designated counsel, that the above-entitled action be and hereby is dismissed with prejudice as  
 3 to the individual claims of Plaintiff (including waiving her ability to act as a representative of any  
 4 purported class) and without prejudice as to the putative class members, pursuant to Federal Rule of  
 5 Civil Procedure 41(a)(1)(A)(ii), each side to bear its/her own costs and attorneys' fees.

6 Preserving the Parties' view that Court approval of this Stipulation is not required under Rule  
 7 41(a)(1)(A)(ii) or Federal Rule Civil Procedure 23 (e), the Parties make the following  
 8 representations to the Court as a basis for their request that the Court confirm the dismissal of this  
 9 Lawsuit on the above-delineated terms.

10 1. The Parties have engaged in the exchange of initial disclosures, the production of  
 11 documents, the provision of written discovery responses, and Plaintiff's deposition has been taken.  
 12 Defendants also represent that all persons employed by New Games Production and New Creative  
 13 Mix in California as talent coordinators (the position held by Plaintiff Lindahl) are classified as non-  
 14 exempt employees under California law. As a result of discovery taken to date, and Defendants'  
 15 representation, Plaintiff has agreed not to seek class certification pursuant to Federal Rule of Civil  
 16 Procedure 23 (a) and (b).

17 2. There has been no publicity regarding filing of this case, and Plaintiff's counsel have  
 18 not spoken to or received inquiries from any persons falling within the class definition alleged in the  
 19 Complaint.

20 3. The case has not been certified as a class action, and hence, putative class members  
 21 have not received notice of the action.

22 **I HEREBY ATTEST THAT THE CONTENT OF THIS DOCUMENT IS ACCEPTABLE TO**  
 23 **ALL PERSONS REQUIRED TO SIGN THIS DOCUMENT.**

24 Dated: July 25, 2011

25 /s/ Maureen E. McClain  
 26 MAUREEN E. MCCLAIN  
 27 LITTLER MENDELSON, P.C.  
 28 Attorneys for Defendants NEW CREATIVE MIX  
 INC., NEW GAMES PRODUCTIONS INC.,  
 NICKELODEON, AND MTV NETWORKS, A  
 DIVISION OF VIACOM INTERNATIONAL INC.

1 Dated: July 25, 2011

2  
3 /s/ Benjamin Schonbrun  
4 BENJAMIN SCHONBRUN  
5 SCHONBRUN DESIMONE SELOW  
6 HARRIS HOFFMAN & HARRISON, LLP  
7 Attorneys for PLAINTIFF  
8 DELANIA LINDAHL

9  
10 **ORDER**

11 Based on the above stipulation and in accordance with its terms, the Court hereby orders the  
12 case dismissed with prejudice as to Plaintiff Delania Lindahl with each side to bear her/its own fees  
13 and costs. The dismissal shall be without prejudice as to the putative class. The Clerk is directed to  
14 close this case.

15 Dated: \_\_7/27/11

16 *Andrea B. Armstrong*  
17 UNITED STATES DISTRICT COURT JUDGE

18 Firmwide:102816530.1 061640.1010